

EXHIBIT A

Existing Code language is in plain Courier font.

New Code language is underlined.

Code language proposed for removal is ~~strikethrough~~.

Code language that has been moved from a different section is **bold** and color coded with a number (e.g. ²).

Comments by Staff have been included before code sections (in *italic*) and on the right side of the page to help explain what is proposed.

There are a few areas where placeholders for the code section numbering are shown and are indicated by "xxx".

Proposed Code Changes

Section 1 – Add a definition for apiaries (beekeeping). Proposed regulations for beekeeping is further below.

18.04.xxx Apiary

"Apiary" ("apiaries") means a place where honey bees (apis mellifera) are kept; a collection of beehives. Beekeeping is included under this definition.

8.12.020 Nuisances affecting public health and safety.

Acts or omissions, places, conditions and things or uses that injure or endanger the safety, health, welfare, comfort or general well being of the general public or the environment, are declared to be public nuisances. Public nuisances include, but are not limited to, the following:

M. Nests, colonies, hives or apiaries of bees, Africanized honey bees, yellow jacket, hornets or wasps which are not in full compliance with Chapter 15.60 RCW or Chapter 16-602 WAC, or which are not in full compliance with the city's zoning and land use codes or with the city's business licensing and registration codes

Section 2 – Add definitions for structures housing domestic fowl (chickens, etc.).

18.04.xxx Chicken coop.

"Chicken coop" means a building for housing and weather protection for domestic fowl. The chicken coop is treated as an accessory structure.

18.04.xxx Chicken run.

"Chicken run" or "chicken pen" means an area enclosed by fencing or netting which may or may not be connected to a coop within which domestic fowl can move about freely within a limited portion of the property or site.

Comment [TG1]: Staff receives many inquiries about the keeping of bees but the current Code does not provide adequate guidance other restrictions found in the nuisance code (which is shown below the proposed definition).

Comment [TG2]: Add definitions for chicken coop and run. Having a coop and/or run is not required (currently or proposed to be required).

Section 3 – Modify the domestic fowl definition to allow for more flexibility and to reinforce that roosters and peacocks are not allowed.

18.04.325 Domestic fowl.

"Domestic fowl" includes all species of chickens, turkeys, geese, ~~and ducks,~~
or other fowl of similar size and character. Roosters and peafowl are not included in this definition and are not permitted.

Section 4 – Modify "household pets" definition as follows.

18.04.495xxx Household pet Small domestic animal.

~~"Household pet"~~ "Small domestic animal" means a domesticated animal of ordinary species that lives, or is commonly known to be capable of living, within the confines of a residence. Animals considered to be ~~common household pets~~ small domestic animals include but are not necessarily limited to the following: dogs, cats, rabbits, caged indoor birds, small rodents, ~~and fish,~~ and if weighing less than 10 pounds any nonvenomous reptiles and amphibians ¹ ~~miniature goats, potbelly pigs, and domestic fowl.~~ Animals not considered to be ~~common household pets~~ small domestic animals include but are not necessarily limited to the following: domestic fowl, horses, cows, goats, sheep, swine, donkeys, any similar species ~~full-size swine, full-size goats, and endangered or exotic species~~ and any similar species.

Comment [TG3]:

Change this definition to be consistent with the other two types of animal classes.

Comment [TG4]:

Remove as these animals have their own definitions.

Comment [TG5]:

These could be changed "medium domestic animals" and "large domestic animals".

Section 5 – Create a new definition for medium domestic animals using existing language.

18.04.xxx Medium domestic animal.

"Medium domestic animal" means potbelly pigs and miniature goats that are smaller than 24 inches at the shoulder and/or not more than 150 pounds in weight ².

Comment [TG6]:

Create this definition to further clarify what these animal types are (see below for complete requirements).

Section 6 – Create a new definition for large domestic animals using existing language.

18.04.xxx Large domestic animal.

"Large domestic animal" means horses, ponies, donkeys, cows, standard size goats, llamas, oxen, and standard size pigs ³.

Comment [TG7]:

Again, for further clarification.

Section 7 – Revise miniature goat definition.

18.04.622 Miniature goat.

"Miniature goats" include species of goats commonly known as pygmy (Capra hircus hircus pygmy), or Nigerian dwarf (Capra hircus hircus nigerian dwarf) ~~and miniature goats.~~

Section 8 – No changes to potbelly pig definition.

18.04.742 Potbelly pig.

Miniature “potbelly pigs” are that type of swine commonly known as Vietnamese, Chinese, or Asian potbelly pig (*Sus scrofa bittatus*).

Section 9 – Combine the two sections pertaining to animals into one as follows.

18.31.220 Permitted animals.

~~The allowed table numbers of animals permitted ~~outright~~, provided the minimum lot size is following requirements are met, are ~~detailed in the following table~~ listed as follows. The specified minimum lot sizes are absolute requirements. No variances, waivers, and/or modifications under the Auburn City Code shall may be granted. The keeping of animals that require no lot size or lesser lot size is are allowed to be cumulative, when lot size requirements have been met. For example, on a 12,500 square-foot lot, the keeping of one (1) miniature goat, one (1) potbelly pig, and 2 dogs could be allowed. Licensing of pets and animal control is governed by ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.~~ ⁴

Comment [TG8]: This sentence seems to have been taken from the City of Renton Code, however, is not clear by itself. Staff proposes the following “For example...” sentence to clarify.

A. Small domestic animals. Small domestic animals may be kept if the owner complies with the following:

1. Small domestic animals are permitted as an accessory use to a residence or business.

2. Four (4) small domestic animals, including foster animals, per dwelling or commercial building regardless of lot size. ⁴

3. A pet license is required for each cat or dog. ⁴

B. Domestic Fowl. Domestic fowl may be kept ~~as small animals~~ if the owner complies with the following:

1. Domestic fowl are permitted as an accessory use to a single-family residence.

2. Roosters and peafowl are not permitted.

2. Structures, or yard areas including chicken coops, pens, or runs, housing domestic fowl must comply with accessory structure setbacks applicable in the zoning district where the ~~shelter~~ property is ~~to be~~ located.

3. Up to four (4) domestic fowl can be kept on lots that are at least 6,000 gross square feet in size. On lots that are larger than 6,000 gross square feet, one additional small lot domestic animal may be kept per additional 2,000 gross square feet ~~as shown in ACC 18.31.230~~. The maximum number of domestic fowl allowed per lot is ten (10); this maximum does

not apply to properties zoned RC, Residential Conservancy or R-1, residential one dwelling unit per acre.

4. The keeping conforms to ~~Please reference~~ ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

C. Miniature Goats. Miniature goats are medium domestic animals and may be kept as small animals if they are licensed as follows if the owner complies with the following:

1. Miniature goats are permitted as an accessory use to a single-family residence.

2. Miniature goats are no greater than 24 inches in height at the shoulder and no more than 150 pounds in weight.²

3. Male miniature goats must be neutered.

4. All miniature goats must be dehorned.

5. Nursing offspring of miniature goats licensed according to the provisions of this code may be kept until weaned, but no longer than 12 weeks from birth.

6. ~~The shelter~~ location of structures housing miniature goats must comply with accessory structure setbacks applicable in the zoning district where the shelter property is to be located.

7. Licensing must be done in accordance with ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.

8. Up to two (2) miniature goats are allowed on lots that are at least 12,500 gross square feet in size. On lots that are greater than 12,500 gross square feet, one (1) additional medium size domestic animal may be kept per additional 7,500 gross square feet ~~as shown in ACC 18.31.230.~~

9. The keeping conforms to ~~Please reference~~ ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

D. Potbelly Pigs. Miniature potbelly pigs are medium domestic animals and may be kept as a small animal, provided, that no swine that is greater than 22 inches in height at the shoulder or more than 150 pounds in weight may be kept in the city if the owner complies with the following.

1. Potbelly pigs are permitted as an accessory use to a single-family residence.

Comment [TG9]:

Planning Commission recommended a cap on the number fowl; Staff proposes 10 except for lesser density properties that are zoned Residential Conservancy (RC) or R-1.

2. Potbelly pigs are no greater than 24 inches in height at the shoulder and no more than 150 pounds in weight. ²

1. Nursing offspring of potbelly pigs licensed according to the provisions of this code may be kept until weaned, but no longer than 12 weeks from birth.

2. The ~~Shelter~~ location of structures housing potbelly pigs must comply with accessory structure setbacks applicable in the zoning district where the ~~shelter~~ property is to be located.

3. Licensing must be done in accordance with ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.

4. Two potbelly pigs can be kept on lots that are at least 12,500 gross square feet in size. On lots that are greater than 12,500 gross square feet, one additional medium size domestic animal may be kept per additional 7,500 gross square feet ~~as shown in ACC 18.31.230.~~

5. The keeping conforms to ~~Please reference~~ ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

Section 10 – Add a new section for the keeping of bees.

E. Apiaries (keeping of honey bees (apis mellifera)). Beekeeping may be permitted if the owner complies with the following:

1. Beekeeping is allowed as an accessory use to a single-family residence.

2. All hives are registered with the State Department of Agriculture.

3. No more than two (2) hives, each with only one (1) swarm, shall be kept on lots of less than ten thousand (10,000) square feet.

4. Hives shall not be located within twenty-five (25) feet of any property line with the hive(s) entrance(s) facing away from the nearest property line.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance and ACC 8.12.020 regarding nuisances affecting public health and safety.

F. Large domestic animals. Large domestic animals may be kept if the owner complies with the following:

1. Large domestic animals are allowed as an accessory use to a single-family residence.

2. Two (2) large domestic animals can be kept on lots that are at least one (1) gross acre in size.³

3. On lots that are larger than one (1) gross acre, one (1) additional large domestic animal may be kept per additional 21,780 gross square feet.³

4. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

Section 11 – For reference, the definition for livestock.

6.01.010 Definitions

20. “Livestock” means all cattle, sheep, goats, or animals of the Bovidae family; all horses, mules, llamas, alpacas, other hoof animals, or animals of the Equidae family; all pigs, swine, or animals of the Suidae family; and ostriches, rhea, and emu; provided, that livestock shall not include domestic fowl, miniature goats, and potbelly pigs, as those animals are defined in Chapter 18.04 ACC.

Section 12 – Delete Section 18.31.230.

~~18.31.230 Table of allowed districts.~~

~~The allowable numbers of animals permitted outright, provided the minimum lot size is met, are detailed in the following table. The specified minimum lot sizes are absolute requirements. No variances, waivers, and/or modifications under the Auburn City Code may be granted. The keeping of animals that require lesser lot size is allowed to be cumulative, when lot size requirements have been met. Licensing of pets and animal control is governed by ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.~~⁴

	RG	R-1	R-5	R-7	R-10	R-16	R-20	RO	C-1	C-2	C-3
Goats	Y	Y	Y	Y	C*	C*	C*	N	N	N	Y
Pigs	Y	Y	Y	Y	C*	C*	C*	N	N	N	Y
Chickens	Y	Y	Y	Y	C*	C*	C*	N	N	N	Y

Y = Yes

N = No

C = Conditional

~~*Permitted as an outright use if more than 50 percent of the property is not covered with impervious surface. If the property is more than 50 percent covered with impervious surface then the applicant must apply for an administrative use permit pursuant to Chapter 18.64 ACC. These applications will not be processed as conditional use permits.~~

Comment [TG10]:

Planning Commission had indicated that they would like Staff to attempt to get rid of this table as it is confusing for citizens who may not know their zoning district. Each animal regulation above uses “residence” or “single-family residence” instead.

Type of Animal	Maximum Number of Animals Permitted Outright
Household pets: dogs, cats, rabbits, caged indoor birds, small rodents, and if weighing less than 10 pounds any nonvenomous reptiles and amphibians ¹ .	4* per dwelling or commercial building regardless of lot size. A pet license is required for each cat or dog. ⁴
Domestic fowl.	4 on lots that are at least 6,000 gross sq. ft. in size. On lots that are larger than 6,000 gross sq. ft., 1 additional small lot domestic animal may be kept per additional 2,000 gross sq. ft.
Medium size animals: potbelly pigs, and miniature goats that are smaller than 24 inches at the shoulder and/or not more than 150 pounds in weight. ²	2 on lots that are at least 12,500 gross sq. ft. in size. On lots that are greater than 12,500 gross sq. ft., 1 additional medium lot domestic animal may be kept per additional 7,500 gross sq. ft.
Large size animals: horses, ponies, donkeys, cows, standard size goats, llamas, oxen, standard size pigs. ³	2 on lots that are at least 1 gross acre in size. On lots that are larger than 1 gross acre, 1 additional large lot domestic animal may be kept per additional 21,780 sq. ft. ³

~~*Includes foster animals.~~ ⁴